

STATE OF SOUTH CAROLINA)
) BEFORE THE STATE ETHICS COMMISSION
 COUNTY OF RICHLAND)
)
 IN THE MATTER OF:)
 COMPLAINT C2009-078)
)
 State Ethics Commission,)
 Complainant;)
)
 vs.) **DECISION AND ORDER**
)
 R.C. Jones,)
 Respondent.)

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 STATE ETHICS
 COMMISSION

This matter comes before the State Ethics Commission by virtue of a complaint filed by the State Ethics Commission on January 9, 2009. On March 19, 2009, pursuant to S.C. Code Ann. §8-13-320(10)(i)(Supp. 2009), the State Ethics Commission reviewed the above-captioned complaint charging Respondent, R.C. Jones, with a violation of Section 8-13-1308(B), and probable cause was found to warrant an evidentiary hearing.

Present at the Hearing on March 21, 2012 were Commission Members Edward E. Duryea, Chair, George Carlton Manley and JB Holeman. Respondent was present and appeared *pro se*. Complainant was represented by Cathy L. Hazelwood, General Counsel. The following charge was considered:

COUNT ONE
FAILURE TO FILE A QUARTERLY CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED

That the Respondent, R.C. Jones, a candidate for Mayor of the City of Mauldin, on or about October 17, 2008, did fail to file a final corrected Campaign Disclosure Report after final disposition of campaign funds.

STATEMENT OF FACTS

1. The Respondent, R.C. Jones, was a candidate for the Mayor of the City of Mauldin in an election held on November 6, 2007 and he was required to continue to file quarterly campaign disclosure forms (CD) until final disposition.

2. Commission Investigator Dan Choate testified that during the course of his investigation he determined that on October 17, 2008 Respondent filed a final CD, which had incorrect figures and an excessive campaign contribution. The form was returned for correction. On February 10, 2009 Respondent filed the appropriate documentation and was in compliance; however, he had not paid the outstanding penalty of \$3100.00.

3. Respondent testified that he had been in regular communication with the office to try to file the right form with the right information. His totals were off because he failed to correctly disclose an in-kind contribution and that continued to be a problem until he met with staff.

CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Commission concludes, as a matter of law:

1. The Respondent, R.C. Jones, is a candidate as defined by Section 8-13-1300(4).
2. The State Ethics Commission has personal and subject matter jurisdiction
3. Section 8 13 1308(B) provides:

Following the filing of an initial certified campaign report, additional certified campaign reports must be filed within ten days following the end of each calendar quarter in which contributions are received or expenditures are made, whether before or after an election until the campaign account undergoes final disbursement pursuant to the provisions of Section 8-13-1370.

DECISION

NOW, THEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, the State Ethics Commission has determined based upon a preponderance of evidence that Respondent R. C. Jones is in violation of Section 8-13-1308(B). The late filing penalty is waived.

FINALLY, Respondent R. C. Jones has ten (10) days from receipt of this order to appeal this Decision and Order to the full Commission.

IT IS SO ORDERED THIS 29th DAY OF April, 2012.

STATE ETHICS COMMISSION


EDWARD E. DURYEA
HEARING CHAIR

COLUMBIA, SOUTH CAROLINA